

In re application of Farid Vaghefi et al.
Application No. 11/251,465
Filing Date: December 12, 2005

Attorney Docket No. P26238-A USA
June 5, 2008
Page: 5

REMARKS

In response to the Examiner's Requirement for Restriction, as set forth in the Action dated May 5, 2008, Applicants elect hereby to prosecute the claims of Group I, that is, Claims 1 to 11 and 24. Claims 12-23 have been withdrawn. Applicants confirm their right to file divisional applications, which include the non-elected claims.

The Examiner has required that a single species of narcotic compound listed in Claim 24 be elected. In this regard, Applicants elect hereby oxycodone, with traverse.

Applicants' invention does not depend on the pharmacological properties of any of the compounds listed in claim 24 except that each listed compound has the *common characteristic that they are susceptible to user abuse*. Applicants' invention provides a composition matrix that is not susceptible to crushing and dissolution typical of the prior art compositions and hence supplies a means to thwart the accelerated ingestion of any one of the listed narcotics by the abusing user. Accordingly, Applicants request respectfully that the Examiner withdraw the election requirement and examine the entire breadth of the claims under examination.

The Commissioner is authorized hereby to charge any fees or credit any overpayment associated with Response to Deposit Account Number 19-5425.

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June 5, 2008
Page: 6

A favorable action on the merits is requested respectfully.

Respectfully submitted,

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